

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5993 OF 2005

Sunil Patil.

... Applicant.

Versus.

State of Maharashtra.

... Respondent.

Ms.Madhavi Tavanandi for the Applicant.

Shri R.Y.Mirza, A.P.P.for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 28th Sept., 2005.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned A.P.P. for the State. The allegation of the prosecution against the Applicant seems to be that he assaulted the deceased over his head by a sword. At this stage it appears that the statements of the witnesses are consistent with the version of the first informant. Medical papers show that on the day on which the deceased was admitted to hospital, he had suffered injuries over the head and had a fracture. Though the deceased expired two months after the incident, prima facie, there is material on record to show that as a result of the assault made by the Applicant the deceased suffered an injury to the brain. There is also a recovery of weapon at the instance of the Applicant.

2. The order of the Sessions Court notes that the trial is already expedited and the case is fixed for framing

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charge. No case is made out for grant of bail. The
Application is rejected. However, the trial be
concluded expeditiously as directed by this Court by
order dated 28th April 2005.

Judge.